

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: DEALER MANAGEMENT
SYSTEMS ANTITRUST LITIGATION

This Document Relates To:

ALL CASES

MDL No. 2817
Case No. 18-cv-00864

Hon. Robert M. Dow, Jr.
Magistrate Judge Jeffrey T. Gilbert

**CORRECTED DECLARATION OF DEREK T. HO
IN SUPPORT OF MDL PLAINTIFFS' REPLIES
IN SUPPORT OF THEIR MOTIONS FOR SUMMARY JUDGMENT**

I, Derek T. Ho, pursuant to 28 U.S.C. § 1746, declare as follows. I am a partner with the law firm of Kellogg, Hansen, Todd, Figel & Frederick, P.L.L.C. in Washington, D.C. I respectfully submit this Declaration in support of the following, which are being filed concurrently with this Declaration:

- a. Plaintiff Authenticom, Inc.'s Reply in Support of Its Motion for Summary Judgment on Defendants' Counterclaims.
- b. Plaintiff AutoLoop's Reply in Support of Its Motion for Summary Judgment on Defendant CDK Global, LLC's Counterclaim.
- c. MDL Plaintiffs' Responses to Defendants' Statement of Additional Material Facts.

All of the documents attached to this Declaration and identified below (Exhibits 504 - 522), are true and correct copies of the identified documents and have been designated, as appropriate, under the Second Amended Agreed Confidentiality Order in this case (Dkt. 650).

EXHIBIT NO.	DESCRIPTION
504	Deposition transcript of Brian Clements (Oct. 24, 2018) (EXCERPTS)
505	Deposition transcript of Christopher Kirby (Jan. 30, 2019) (EXCERPTS)
506	Deposition transcript of Alex Eckelberry (Feb. 7, 2019) (EXCERPTS)
507	Deposition transcript of Lucas Hembd (Mar. 22, 2019) (EXCERPTS)
508	Deposition transcript of Travis Robinson (Apr. 23, 2019) (EXCERPTS)
509	Deposition transcript of Brian Green (Apr. 25, 2019) (EXCERPTS)
510	Deposition transcript of Nancy Miracle (Jan. 15, 2020) (EXCERPTS)
511	Transcript of the June 28, 2017 (Day 3) Preliminary Injunction Hearing, <i>Authenticom, Inc. v. CDK Global, LLC</i> , No. 17-318 (W.D. Wis.), Dkt. 166
512	Consolidated Brief for Plaintiff-Appellee Authenticom, Inc., <i>Authenticom, Inc. v. CDK Global, LLC</i> , Nos. 17-2540 & 17-2541 (7th Cir. Sept. 5, 2017), Dkt. 54-2
513	Authenticom's First Set of Requests for the Production of Documents for Defendant CDK Global, LLC, <i>Authenticom, Inc. v. CDK Global, LLC</i> , No. 17-318 (W.D. Wis.) (Oct. 2, 2017)
514	Authenticom's First Set of Requests for the Production of Documents for Defendant The Reynolds and Reynolds Company, <i>Authenticom, Inc. v. CDK Global, LLC</i> , No. 17-318 (W.D. Wis.) (Oct. 2, 2017)
515	CDK Global, LLC's Amended and Supplemental Rule 26(a)(1) Initial Disclosures (Apr. 30, 2019)
516	Email from D. Fenske to P. Wedgworth regarding "JSOAF re Dealers' SJ and CDK's opposition" (Aug. 14, 2020)
517	DX 528 – CONTINENTAL0056450
518	DX 1203 – Reply Expert Report of Catharine M. Lawton (Dec. 19, 2019)
519	PX 309 – CDK-2733349
520	CDK-2883454

EXHIBIT NO.	DESCRIPTION
521	CONTINENTAL0051183
522	Expert Damages Report of Daniel L. Rubinfeld in Response to Plaintiff MVSC's Damages Claims (Nov. 15, 2019)

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: September 8, 2020

/s/ Derek T. Ho
Derek T. Ho